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August 7th, 2023

Sender's Email: john.tucker@ca.afscme57.org

Sent Via Email

Jennifer Maguire
San Jose City Council and Mayor
City of San Jose
200 E Santa Clara St
San Jose, CA 95113

Re: Notification of Strike – City Workers Unwavering Resolve for Fairness, Quality Public Service Delivery, and Staffing Up San Jose

Dear Ms. Maguire and Members of the City Council,

Last week, thousands of Union members voted overwhelmingly to authorize a Strike. **99.26% voted “Yes.”** Our coalition partners also asked their members for Strike authorization, which was also overwhelming. The average affirmative vote across all Unions was 98.9%. The message is clear. Therefore, be advised that effective Tuesday, August 15th at 06:00 AM, employees represented by the Municipal Employees Federation of the American Federation of State, County, and Municipal Employees (MEF-AFSCME) Local 101, AFL-CIO will Strike the City of San Jose for an initial three-day period ending on Friday, August 18th at 5:59 AM.

We are driven by our commitment to the residents of San Jose and the dedicated workforce that strives to make this City a thriving community. The vacancy crisis plaguing our City has cast a shadow on the bright future that should await every resident. We firmly believe that our community deserves better than the crisis created by years of City mismanagement and neglect of City services provided by its workers, and we are resolute in our pursuit of equitable solutions that address the root causes of this crisis.

Our desire for fairness and justice extends to our members and all City of San Jose workers. We stand united against any attempts to mislead or deceive, firmly believing that transparency and honesty are essential in building a solid and thriving community. It's critical for you to realize that in addition to years of anti-public service policy decisions, the City's words and actions of the previous months have led us headlong into this Strike action.

Instead of taking the vacancy crisis head-on and coming up with real solutions, the City has put more effort into publicly pointing to a small number of other agencies' vacancy problems, engaging in deflection and defensive attribution rather than focusing inward and addressing its own shortcomings.

Additionally, City leaders continue to engage in some bizarre form of gaslighting by repeatedly claiming publicly that “*the Unions walked away from the bargaining process*” when in fact, it was the City Council who unceremoniously walked away from thousands of City workers and went on their six-week summer recess effectively tying the hands of the City’s bargaining team who lacked additional authority and forcing City workers to take other measures to achieve our goals. This claim by City officials is ridiculous and dishonest on its face.

Other public statements made by City officials repeatedly call for the approximately 3,500 workers represented by our Union to “*accept the same agreement as other Unions who have already agreed to the wages proposed by the City.*” To be clear, employees in the bargaining units being cited have received the following amounts when adding the 5% general wage increase to the equity increases, recruitment & retention pay, certification pay, and the like.

San Jose Police Dispatchers Association =	7.5%	effective wage increase in year one
ABMEI (Building Inspectors) =	8 – 16%	effective wage increase in year one
San Jose Police Officer Association =	9 – 12%	effective wage increase in year one

The City made it clear in March that it did not wish to coalition bargain with the Unions and that each Union had “*different interests.*” Then, in an abrupt about-face, City leaders flipped-flopped and now found it more advantageous to ask all Unions to agree to the same contract tenets – but did so dishonestly by not offering MEF-AFSCME what it agreed to with the small bargaining units – 7.5% to 16% effective wage increases. This sort of dishonesty and double-speak does more to shorten the fuse of Striking workers than the disparate treatment itself. If the City wishes for MEF-AFSCME to accept an agreement that the other Unions agreed to, they should offer us 7.5 – 16%, and we could likely agree in short order.

Finally, the City’s most recent and desperate public comments about the City having to resort to service cuts and layoffs if it met the Union’s demands is patently absurd. As recently as yesterday, the Mayor has taken this ridiculous message to constituents claiming that agreeing to bridge the small gap between us means “opening the budget back up, firing police officers, and grandmas going hungry.” The Mayor should be ashamed of himself for sowing that level of doubt in the community and with City workers by resorting to these classic and predictable Strike busting tactics and political gamesmanship. This is not a political campaign; this is real life.

The fact is that the small percentage of an over five-billion-dollar City budget that separates the parties is entirely within grasp, and everyone from the Mayor to the City’s City manager and officials in the budget office knows it. A [recently published report](#) by Working Partnerships USA shows that the City of San Jose has a long history of budget surpluses driven by general fund expenditure savings. Accurate accounting could create \$13-\$28 million in additional budget savings in the 2023-2024 adopted budget to be reinvested so that San Jose can recruit and retain committed staff. The money is there, and our residents deserve a fix to the decades-long vacancy crisis and a return to receiving an acceptable level of public service.

We, the staff of San Jose, are not just workers; we are passionate advocates for our community. We believe in the power of a well-staffed City capable of delivering high-quality public services to every resident. We reiterate our call to “Staff Up San Jose” to ensure our City reaches its full potential.



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We find inspiration in the [historic 1981 women's pay equity strike in San Jose](#), where courageous individuals fought for fair wages and equal treatment. Today, we follow in their footsteps, demanding the same principles of fairness, justice, and respect for all City employees and our community.

With a sense of urgency and determination, we hereby notify you of our intention to proceed with a Strike. We do so not as a display of hostility but as an expression of our unwavering commitment to the welfare of our community and each other.

We have also taken the necessary steps to secure a strike sanction from the South Bay Labor Council, a powerful alliance of labor organizations united in the cause of workers' rights. As a result of this Strike sanction, we are requesting that no other Unions have their members do business with the City of San Jose for the duration of the Strike. Our decision reflects the seriousness of the situation and our unwavering commitment to securing a fair resolution.

Furthermore, we have reached out to other City of San Jose employee Unions, urging them not to cross our picket lines during the Strike. Our call to solidarity is not only for our union members but for all workers who share the belief in fairness, dignity, and respect for every employee. We have also raised over \$200,000 in the last 24 hours to help lower-paid Striking workers who may be unable to make ends meet by missing a few days of work. We will do whatever it takes – including asking our members to authorize an indefinite Strike if we don't reach a resolution during this initial Strike.

We stand ready to face the challenges ahead and will rest when our demands for restoring quality public services and a well-staffed San Jose are met.

Respectfully,

The Executive Board of the Municipal Employees Federation

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